

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**FOR SOLE INVENTOR**

As the below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor, of the subject matter which is claimed and for which a patent is sought on the invention entitled as follows: **HYBRID MAIZE PLANT & SEED 33R77** the specification of which are attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code Of Federal Regulations, Section 1.56. I further declare that no application for patent or inventor's certificate on this invention has been filed by me, my legal representative or assigns in any country foreign to the United States of America except as identified below:

NONE.

Applicant hereby appoints the attorneys of record listed under **Customer No. 27142** at ZARLEY, McKEE, THOMTE, VOORHEES & SEASE, 801 Grand Avenue, Suite 3200, Des Moines, Iowa 50309-2721 (telephone number 515-288-3667 and fax number 515-288-1338), as my attorneys to prosecute this application and to transact all business in the Patent Office connected therewith.

Please direct all correspondence to the attention of Heidi S. Nebel, Zarley, McKee, Thomte, Voorhees & Sease, 801 Grand Avenue, Suite 3200, Des Moines, Iowa, 50309-2721 (telephone number 515-288-3667).

I hereby declare that all statements made herein are of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE

Inventor's signature: David L Benson

Date: 1/05/2001

Full name of sole inventor: David L. Benson

Residence: York, Nebraska

Post Office Address: 1613 Harre Lane  
York, Nebraska 68467

Country of Citizenship: United States of America